

**REMARKS**

Applicants would initially like to thank the Examiner for the indication of allowable subject matter in claims 12-21.

Claim 9, and claims 10 and 11 that depend there from, have been rejected under 35 U.S.C. § 103 as obvious over Palmgren in view of Zicker. Applicants respectfully traverse the rejection.

With respect to Zicker, the Office Action states that Zicker discloses “reducing, in response to interference above a desired level between the second zone and a land based cellular node, the effective range of coverage of the second zone.” Applicants traverse this finding. Zicker states at column 11, lines 3-13 that any reduction in the “A-side” or “B-side” mobile telephone operations is to prevent these telephones from interfering with the aircrafts instruments, particularly during landing sequence (See Zicker: col. 11, lines 8-13, “So during the critical phases of the flight profile, the likelihood of danger to aircraft and passenger safety from potential interference may be greater. By enabling cellular network 30 in the passive mode, all radiotelephones 50 will be prevented from participating in calls and making undesired radio frequency emissions.”) b. This reduction has no relationship with any land-based cellular node as asserted in the Office Action. The Office Action effectively points this out in page 3, paragraph 5, and yet fails to apply it.

The Office Action states that “the reducing does not change the area covered by the first cellular coverage zone” because putting the A-side in passive mode wouldn’t affect the coverage of the B-side, because the B-side has to independently be put into passive mode. Applicants traverse this finding. The discussion of A-side operations in Zicker is preceded by the following statement:

For simplicity, the following discusses activities taking place at simulated A-side cell site 33. However, those

skilled in the art will realize that similar actions are taking place concurrently at simulated B-side cell site 35.

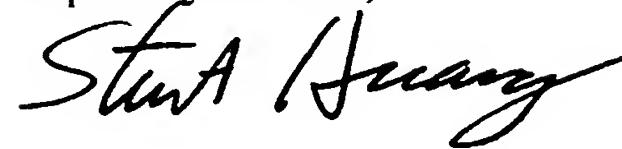
Column 5, lines 34-38 (emphasis added). Thus, contrary to the finding that the B-side would have to be independently set to passive mode, the above disclosure makes it clear that both the A-side and B-side would be set to passive mode concurrently. This makes perfect sense, as the point of setting phones into passive mode is to avoid interference with aircraft systems, which requires both A-side phones and B-side phones to be set to passive mode. Accordingly, reducing the effective range of the A-side phone would also affect the range of the B-side phones, in contrast the findings of the Office Action.

The combination of Palmgren and Zicker would not be combined in the manner suggested by the Examiner. It is well known that airlines (currently) prohibit the electronic device (including cell phones) during landing and takeoff to prevent these devices from interfering with aircraft instrumentation during takeoff and landing, and Palmgren is consistent with current requirements. However, there are no such corresponding technical difficulties nor prohibition related to ships. More specifically, Applicants are unaware of any interference between cell phones and ship systems that would make it either desirable or necessary to suspend local cell operations during certain ship maneuvers or other conditions. Thus, the use of any technology in Palmgren to avoid interference with aircraft systems does not motivate or suggest the incorporation of such technology into ships.

The combination would also produce an illogical and unwise result. Zicker teaches that the A-side and B-side systems are just different types of phones, not cellular zones of coverage. It would be illogical to limit the use of different types of phones to specific parts of the ship. Yet that is the result of the combination applied in the Office Action, which would limit the use of A-side phones to the interior zone of the ship, and B-type phones to the exterior zone of the ship (or vice-versa).

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